

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY Caption in Compliance with D.N.J. LBR 9004-1(b)	2023 DEC 4 11:04 CLERK U.S. DISTRICT COURT DISTRICT OF NEW JERSEY RECEIVED FILED ANNE A. NAUGHTON, CLERK DEC - 4 2023 U.S. BANKRUPTCY COURT NEWARK, N.J. DEPUTY
Neelay Das 4682 Chabot Dr #10236 Pleasanton, CA 94588-2747  Email: <a href="mailto:neelay.bbby.njb@gmail.com">neelay.bbby.njb@gmail.com</a>  <i>Stockholder</i>	Gabriel Rostom 63 Rue de la Folie Regnault 75011 PARIS – France  Tel : +33756942880  <i>Stockholder</i>
In Re: BED BATH & BEYOND INC., et al., Debtors. <sup>1</sup>	Chapter 11  Case No. 23-13359 (VFP)  (Jointly Administered)  D.C. # 23-CV-20787-MEF

**APPELLANTS' STATEMENT OF ISSUES ON APPEAL AND DESIGNATION OF  
ITEMS TO BE INCLUDED IN THE RECORD ON APPEAL**

Pursuant to Rule 8009(a) of the Federal Rules of Bankruptcy Procedure

(the "Bankruptcy Rules"), Appellants Neelay Das and Gabriel Rostom (the  
 "Appellants"), the undersigned holders of Common Stock equity interests in  
 20230930-DK-Butterfly-1, Inc. (f/k/a Bed Bath & Beyond Inc.) (the "Debtor

<sup>1</sup> The last four digits of Debtor Bed Bath & Beyond Inc.'s tax identification number are 0488. A complete list of the Debtors in these Chapter 11 Cases and each such Debtor's tax identification number may be obtained on the website of the Debtors' proposed claims and noticing agent at <https://restructuring.ra.kroll.com/bbby>. The location of Debtor Bed Bath & Beyond Inc.'s principal place of business and the Debtors' service address in these Chapter 11 Cases is 650 Liberty Avenue, Union, New Jersey 07083.

Corporation”), which has traded on the Nasdaq exchange under the symbol “BBBY” and has traded over the counter under the symbol “BBBYQ” as recently as 09/29/2023, submit this statement of issues to be presented on appeal from the Order (I) *Approving the Disclosure Statement on a Final Basis and (II) Confirming the Second Amended Joint Chapter 11 Plan of Bed Bath & Beyond Inc. and Its Debtor Affiliates* [Docket No. 2172] (the “Order”), entered on September 14, 2023 by the United States Bankruptcy Court for the District of New Jersey.

**STATEMENT OF ISSUES TO BE PRESENTED ON APPEAL**

1. Whether the Bankruptcy Court’s approval of the Solicitation Procedures seeking acceptances and rejections of Debtors’ Second Amended Joint Chapter 11 Plan (the “Chapter 11 Plan”) for this non small business case based on a conditionally approved disclosure statement, without determination of adequacy of the information in the disclosure statement, cannot stand the decisions in *In re Amster Yard Associates*, 214 B.R. 122 (Bankr. S.D.N.Y. 1997) and *In re Gerlinger, Inc.*, No. 03-39184 (Bankr. N.D. Ohio Jan. 18, 2005).
2. Whether, pursuant to 11 U.S.C. § 1129(a)(2), the Bankruptcy Court erred in confirming Debtors’ Second Amended Joint Chapter 11 Plan despite the Debtors using Solicitation Procedures

seeking acceptances and rejections of the Chapter 11 Plan for this non small business case based on a conditionally approved disclosure statement, without determination of adequacy of the information in the disclosure statement, in violation of provisions in 11 U.S.C. § 1125(b).

3. Whether the Bankruptcy Court's conclusion of not finding any authority pursuant to 11 U.S.C. § 541 for the proposition that authorized stock of a debtor corporation is property of the estate and the debtor corporation as opposed to the party holding the stock cannot stand, while discussing the Appellants' objections in their *Motion To Vacate The Order (I) (A) Conditionally Approving The Adequacy Of The Disclosure Statement, (B) Approving The Solicitation And Notice Procedures With Respect To Confirmation Of The Plan, (C) Approving The Forms Of Ballots And Notices In Connection Therewith* (the "Motion To Vacate") during the Plan Confirmation Hearing and Motions Hearing held on September 12, 2023 at 2:30 pm E.T. cannot stand the opinion from the U.S. Supreme Court in *Butner v. United States*, 440 U.S. 48, 55 (1979) that "Property interests are created and defined by state law" and the New York state law statutes NY Pers.



Prop. § 251.3<sup>2</sup> and § 251.4<sup>3</sup> pursuant to which the Debtors had a legal interest in the stock of the Debtor Corporation as personal property at the commencement of the bankruptcy case, considering the fact that the Debtor was entitled to possession of any lost, including abandoned, shares and stock certificates evidencing them<sup>4</sup>.

4. Whether the Bankruptcy Court erred in approving the disclosure statement on a final basis, while overruling the Appellants' objection in the Motion To Vacate that the Disclosure Statement did not not meet the requirement of providing adequate information to the claimants, pursuant to sections 1125(a)(1) and 1125(f)(3) of the Bankruptcy Code, that the claims from claimants who were holding borrowed shares of Bed Bath and Beyond Common Stock, which pursuant to section 541 of the Bankruptcy Code constitute property of the Debtors' estate, are disallowed and made them ineligible to vote on

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<sup>2</sup> The term "lost property" as used in this article includes lost or mislaid property. Abandoned property, waifs and treasure trove, and other property which is found, shall be presumed to be lost property and such presumption shall be conclusive unless it is established in an action or proceeding commenced within six months after the date of the finding that the property is not lost property.

*See NY Pers. Prop. § 251.3*

<sup>3</sup> The term "owner" as used in this article means any person entitled to possession of the lost property as against the finder and against any other person who has made a claim.

*See NY Pers. Prop. § 251.4*

<sup>4</sup> Lost, Mutilated, Stolen or Destroyed Certificates. The Board of Directors may direct a new certificate or new certificates be issued in place of any certificate theretofore issued by the Corporation alleged to have been lost, mutilated, stolen or destroyed.

*See* BED BATH & BEYOND INC., AMENDED AND RESTATED BY-LAWS, at 29 (Jun. 19, 2019) [https://www.sec.gov/Archives/edgar/data/886158/000110465919036407/a19-10116\\_4ex3d1.htm](https://www.sec.gov/Archives/edgar/data/886158/000110465919036407/a19-10116_4ex3d1.htm)

the acceptance of the Chapter 11 plan, pursuant to sections IV.I.6 of the Disclosure Statement and IX.F of the Debtors' Chapter 11 Plan and section 542 of the Bankruptcy code, on the basis of not finding any authority pursuant to 11 U.S.C. § 541 for the proposition that authorized stock of a debtor corporation is property of the estate and the debtor corporation as opposed to the party holding the stock.

5. Whether the Bankruptcy Court, on the basis of not finding any authority pursuant to 11 U.S.C. § 541 for the proposition that authorized stock of a debtor corporation is property of the estate and the debtor corporation as opposed to the party holding the stock, erred in confirming the Chapter 11 Plan, while overruling the Appellants' objection in the Motion To Vacate that by on one hand potentially allowing distributions to claimants with disallowed claims and on the other hand not providing for turnover of borrowed Common Stock pursuant to section 542 of the Bankruptcy code, before it was canceled, the Chapter 11 Plan was not fair and equitable with respect to the classes in accordance with section 1129(b) of the Bankruptcy code.

#### **DESIGNATION OF THE RECORD ON APPEAL**

Without waiving any arguments on appeal, the Appellants designate each of the following documents from the above-captioned case for inclusion in the record on appeal (including any exhibit, annex, appendix, addendum, or schedule



thereto). The Appellants reserve the right to supplement this designation and the record on appeal.

Docket Entries and Other Items			
Index	Document	Filing Date	D.I. No.
1	Chapter 11 Voluntary Petition Filed by Michael D. Sirota on behalf of Bed Bath & Beyond Inc.	04/23/2023	1
2	Document re: Declaration of Holly Etlin, Chief Restructuring Officer and Chief Financial Officer of Bed Bath & Beyond Inc., in Support the Debtors' Chapter 11 Petitions and First Day Motions (related document:1 Voluntary Petition (Chapter 11) filed by Debtor Bed Bath & Beyond Inc.) filed by Michael D. Sirota on behalf of Bed Bath & Beyond Inc..	04/23/2023	10
3	Motion re: Debtors' Motion for Entry of Interim and Final Orders (I) Approving Notification and Hearing Procedures for Certain Transfers of Common Stock and Preferred Stock (II) Granting Related Relief Filed by Michael D. Sirota on behalf of Bed Bath & Beyond Inc..	04/23/2023	23
4	Motion re: Debtor's Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Obtain Postpetition Financing and (B) Utilize Cash Collateral, (II) Granting Liens and Superpriority Administrative Expense Claims, (III) Granting Adequate Protection, (IV) Modifying the Automatic Stay, (V) Scheduling a Final Hearing, and (VI) Granting Related Relief Filed by Michael D. Sirota on behalf of Bed Bath & Beyond Inc..	04/23/2023	25
5	Order Granting Motion For Joint Administration Lead Case: 23-13359 Member Cases: 23-13360, 23-13361, 23-13362, 23-13363, 23-13364, 23-13365, 23-13366, 23-13367, 23-13368, 23-13369, 23-13370, 23-13371, 23-13372, 23-13373, 23-13374, 23-13375, 23-13376, 23-13377, 23-13378, 23-13379, 23-13380, 23-13381, 23-13382, 23-13383, 23-13384, 23-13385, 23-13386, 23-13387, 23-13388, 23-13389, 23-13390, 23-13391, 23-13392, 23-13393, 23-13394, 23-13395, 23-13396,	04/24/2023	75

	23-13397, 23-13398, 23-13399, 23-13400, 23-13401, 23-13402, 23-13403, 23-13404, 23-13405, 23-13406, 23-13407, 23-13408, 23-13409, 23-13410, 23-13411, 23-13412, 23-13413, 23-13414, 23-13415, 23-13416, 23-13417, 23-13418, 23-13419, 23-13420, 23-13421, 23-13422, 23-13423, 23-13424, 23-13425, 23-13426, 23-13427, 23-13428, 23-13429, 23-13430, 23-13431, 23-13432.		
6	Document re: Declaration of Sarah Baker in Support of Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing The Debtors to Assume the Consulting Agreements, (II) Authorizing and Approving The Conduct of Store Closing Sales, With Such Sales to be Free And Clear of All Liens, Claims, and Encumbrances, (III) Authorizing Customary Bonuses to Employees of Closing Stores, and (IV) Granting Related Relief (related document:28 Motion (Generic) filed by Debtor Bed Bath & Beyond Inc.) filed by Jessica Deborah Mikhailevich on behalf of Hilco Merchant Resources, LLC and Gordon Brothers Retail Partners, LLC. (Attachments: # 1 Schedule 1 Parties in Interest List # 2 Schedule 2 Disclosures)	05/02/2023	178
7	Document re: Declaration of David Braun in Support of Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing The Debtors to Assume the Consulting Agreements, (II) Authorizing and Approving The Conduct of Store Closing Sales, With Such Sales to be Free And Clear of All Liens, Claims, and Encumbrances, (III) Authorizing Customary Bonuses to Employees of Closing Stores, and (IV) Granting Related Relief (related document:28 Motion (Generic) filed by Debtor Bed Bath & Beyond Inc.) filed by Jessica Deborah Mikhailevich on behalf of Gordon Brothers Retail Partners, LLC. (Attachments: # 1 Schedule 1 Parties in Interest List # 2 Schedule 2 Disclosures)	05/02/2023	179



8	Document re: Declaration Mark P. Naughton on Behalf of Tiger Capital Group, LLC in Support of Debtors' Motion For Entry of Interim And Final Orders (I) Authorizing The Debtors to Assume The Consulting Agreements, (II) Authorizing and Approving The Conduct of Store Closing Sales, With Such Sales to be Free and Clear Of All Liens, Claims, and Encumbrances, (III) Authorizing Customary Bonuses To Employees of Closing Stores, and (IV) Granting Related Relief (related document:28 Motion (Generic) filed by Debtor Bed Bath & Beyond Inc.) filed by Jessica Deborah Mikhailevich on behalf of Tiger Capital Group, LLC. (Attachments: # 1 Schedule 1 Parties in Interest List # 2 Schedule 2 Disclosures)	05/02/2023	180
9	Document re: Declaration of Scott K. Carpenter On Behalf Of B. Riley Retail Solutions, LLC in Support of Debtors' Motion For Entry of Interim And Final Orders (I) Authorizing The Debtors to Assume The Consulting Agreements, (II) Authorizing and Approving The Conduct of Store Closing Sales, With Such Sales to be Free and Clear Of All Liens, Claims, and Encumbrances, (III) Authorizing Customary Bonuses To Employees of Closing Stores, and (IV) Granting Related Relief (related document:28 Motion (Generic) filed by Debtor Bed Bath & Beyond Inc.) filed by Jessica Deborah Mikhailevich on behalf of B. Riley Retail Solutions, LLC. (Attachments: # 1 Schedule 1 Parties in Interest List # 2 Schedule 2 Disclosures)	05/02/2023	181
10	Notice Re: Creditors' Committee. Creditors Committee Appointed filed by U.S. Trustee.	05/05/2023	218
11	Final Order (I) Approving Notification and Hearing Procedures for Certain Transfers of Common Stock and Preferred Stock and (II) Granting Related Relief (Related Doc # 23)	05/31/2023	587



12	Disclosure Statement Filed by Michael D. Sirota on behalf of Bed Bath & Beyond Inc..	07/21/2023	1437
13	Motion re: Debtors' Motion for Entry of an Order (I) (A) Conditionally Approving the Adequacy of the Disclosure Statement, (B) Approving the Solicitation and Notice Procedures with Respect to Confirmation of the Plan, (C) Approving the Forms of Ballots and Notices in Connection Therewith, and (D) Scheduling a Combined Disclosure Statement Approval and Plan Confirmation Hearing and Certain Dates and Deadlines with Respect Thereto, and (E) Granting Related Relief, and (II) (A) Extending the Debtors' Exclusive Periods to File a Chapter 11 Plan and Solicit Acceptances Thereto Pursuant to Section 1121 of the Bankruptcy Code and (B) Granting Related Relief Filed by Michael D. Sirota on behalf of Bed Bath & Beyond Inc..	07/21/2023	1438
14	Redline to Amended Chapter 11 Plan in support of (related document: 1687 Chapter 11 Plan filed by Debtor Bed Bath & Beyond Inc.) filed by Michael D. Sirota on behalf of Bed Bath & Beyond Inc..	07/31/2023	1688
15	Document re: Notice of Filing of Revised Order (I)(A) Conditionally Approving the Adequacy of the Disclosure Statement, (B) Approving the Solicitation and Notice Procedures with Respect to Confirmation of the Plan, (C) Approving the Forms of Ballots and Notices in Connection Therewith, (D) Scheduling a Combined Disclosure Statement Approval and Plan Confirmation Hearing and Certain Dates and Deadlines with Respect Thereto, and (E) Granting Related Relief, and (II) (A) Extending the Debtors' Exclusive Periods to File a Chapter 11 Plan and Solicit Acceptances Thereof Pursuant to Section 1121 of the Bankruptcy Code and (B) Granting Related Relief filed by Michael D. Sirota on behalf of Bed Bath & Beyond Inc..	08/01/2023	1692



16	Amended Joint Chapter 11 Plan (Solicitation Version) in support of (related document:1429 Chapter 11 Plan filed by Debtor Bed Bath & Beyond Inc.) filed by Michael D. Sirota on behalf of Bed Bath & Beyond Inc..	08/01/2023	1712
17	Amended Disclosure Statement Relating to the Amended Joint Chapter 11 Plan (Solicitation Version) in support of (related document:1437 Disclosure Statement filed by Debtor Bed Bath & Beyond Inc.) filed by Michael D. Sirota on behalf of Bed Bath & Beyond Inc..	08/01/2023	1713
18	Order (1)(A)Conditionally Approving Disclosure Statement, (B) Approving the solicitation and Notice Procedures with respect to Confirmation of the Plan, (C) Approving the Forms of Ballots and Notices in connection with therewith, (D) Scheduling a Combined Disclosure Statement approval and Plan Confirmation Hearing and certain dates and deadlines with respect thereto, and (E) Granting related Relief, and (ii) (A) Extending the Debtors' Exclusive Period to file a Chapter 11 Plan and solicit acceptances thereof pursuant to section 1121 of the Bankruptcy Code and (B) Granting Related Relief (related document:1690 Disclosure Statement filed by Debtor Bed Bath & Beyond Inc.).	08/02/2023	1716
19	Limited Objection to (related document:1692 Document re: Notice of Filing of Revised Order (I)(A) Conditionally Approving the Adequacy of the Disclosure Statement, (B) Approving the Solicitation and Notice Procedures with Respect to Confirmation of the Plan, (C) Approving the Forms of Ballots and Notices in Connection Therewith, (D) Scheduling a Combined Disclosure Statement Approval and Plan Confirmation Hearing and Certain Dates and Deadlines with Respect Thereto, and (E) Granting Related Relief, and (II) (A) Extending the Debtors' Exclusive Periods to File a Chapter 11 Plan and Solicit Acceptances Thereof Pursuant to Section 1121 of the Bankruptcy Code and (B) Granting Related Relief filed by Michael D. Sirota on behalf of Bed Bath & Beyond Inc.. filed by Debtor Bed Bath & Beyond Inc.) filed by Neelay Das, Gabriel Rostom. (Attachments: # 1 Certificate of Service) (No Underlying Document)	08/03/2023	1728



20	Motion Requesting Redaction of Personal Identifiers. Receipt Number Fee Due, Fee Amount \$ 26. Filed by Neelay Das. Hearing scheduled for 8/15/2023 at 02:30 PM at VFP - Courtroom 3B, Newark. (No Underlying Document)	08/03/2023	1729
21	Bed Bath and Beyond Common Stock Equity Interest Holders' Objection to Debtors' Motion for entry of an order (A) Conditionally approving the Adequacy of the Disclosure Statement, (B) Approving the Solicitation and Notice Procedures with respect to Confirmation of the Plan, (C) Approving the forms of Ballots and Notices in connection therewith, (D) Scheduling a Combined Disclosure Statement approval and Plan Confirmation hearing and certain dates and Deadlines with respect thereto, and (E) Granting related Relief, and (II) (A) Extending the Debtors' Exclusivity periods to file a Chapter 11 Plan and Solicit Acceptances thereof pursuant to Section 1121 of the Bankruptcy Code and (B) Granting Related Relief (related document:1713 Amended Disclosure Statement Relating to the Amended Joint Chapter 11 Plan (Solicitation Version) in support of (related document:1437 Disclosure Statement filed by Debtor Bed Bath & Beyond Inc.) filed by Michael D. Sirota on behalf of Bed Bath & Beyond Inc.. filed by Debtor Bed Bath & Beyond Inc.) filed by Neelay Das and Gabriel Rostom. (Attachments: # 1 Certificate of Service)	08/10/2023	1878
22	Motion to Vacate (related document:1716 Order Conditionally Approving Disclosure Statement) Filed by Neelay Das, Gabriel Rostom. (Attachments: # 1 Certification)	08/28/2023	2068
23	Application to Shorten Time (related document:2068 Motion to Vacate (related document:1716 Order Conditionally Approving Disclosure Statement) filed by Creditor Rochester Gas & Electric Corporation, Creditor Neelay Das, Interested Party Neelay Das, Stockholder Neelay Das) Filed by Neelay Das, Gabriel Rostom. (Attachments: # 1 Proposed Order)	08/28/2023	2069



24	Objection to Application for Order Shortening Time (related document:2069 Application to Shorten Time (related document:2068 Motion to Vacate (related document:1716 Order Conditionally Approving Disclosure Statement) filed by Creditor Rochester Gas & Electric Corporation, Creditor Neelay Das, Interested Party Neelay Das, Stockholder Neelay Das) Filed by Neelay Das, Gabriel Rostom. (Attachments: # 1 Proposed Order) (dmc) filed by Interested Party Gabriel Rostom, Stockholder Gabriel Rostom, Creditor Neelay Das, Interested Party Neelay Das, Stockholder Neelay Das) filed by Michael D. Sirota on behalf of Bed Bath & Beyond Inc..	08/28/2023	2074
25	Order Concerning Motion Requesting Redaction of Personal Information, (Related Doc # 1729)	08/29/2023	2080
26	Order Regarding Application to Shorten Time (related document:2068 Motion to Vacate (related document:1716 Order Conditionally Approving Disclosure Statement) filed by Interested Party Gabriel Rostom, Stockholder Gabriel Rostom, Creditor Neelay Das, Interested Party Neelay Das, Stockholder Neelay Das). Service of notice of the entry of this order pursuant to Rule 9022 was made on the appropriate parties. See BNC Certificate of Notice. Signed on 8/29/2023. Hearing scheduled for 9/12/2023 at 02:30 PM at VFP - Courtroom 3B, Newark.	08/29/2023	2084
27	(REDACTED VERSION) Bed Bath and Beyond Common Stock Equity Interest Holders' Limited Objection to Debtors' Proposed Revised Order conditionally approving Disclosure Statement and other relief (related document:1728 Limited Objection to (related document:1692 Document re: Notice of Filing of Revised Order (I)(A) Conditionally Approving the Adequacy of the Disclosure Statement, (B) Approving the Solicitation and Notice Procedures with Respect to Confirmation of the Plan, (C) Approving the Forms of Ballots and Notices in Connection Therewith, (D) Scheduling a Combined Disclosure Statement Approval and Plan Confirmation Hearing and Certain Dates and Deadlines with Respect Thereto, and (E) Granting Related Relief, and (II) (A) Extending the Debtors' Exclusive Periods to File a Chapter	09/05/2023	2124



	11 Plan and Solicit Acceptances Thereof Pursuant to Section 1121 of the Bankruptcy Code and (B) Granting Related Relief filed by Michael D. Sirota on behalf of Bed Bath & Beyond Inc.. filed by Debtor Bed Bath & Beyond Inc.) filed by Neelay Das, Gabriel Rostom. (Attachments: # 1 Certificate of Service) (dmc) filed by Interested Party Gabriel Rostom, Stockholder Gabriel Rostom, Stockholder Neelay Das		
28	Bed Bath and Beyond Common Stock Equity Interest Holders' Reply in support of the application for an order shortening time with respect to the Motion of Bed Bath and Beyond Common Stock Equity Interest Holders' Motion for an Order Vacating the Order Conditionally approving Debtor's Disclosure Statement in support of (related document:2068 Motion to Vacate (related document:1716 Order Conditionally Approving Disclosure Statement) Filed by Neelay Das, Gabriel Rostom. (Attachments: # 1 Certification) (dmc) Modified party on 8/29/2023 (dmc). filed by Interested Party Gabriel Rostom, Stockholder Gabriel Rostom, Stockholder Neelay Das, 2069 Application to Shorten Time (related document:2068 Motion to Vacate (related document:1716 Order Conditionally Approving Disclosure Statement) filed by Gabriel Rostom, Neelay Das, Interested Party Neelay Das, Stockholder Neelay Das) Filed by Neelay Das, Gabriel Rostom. (Attachments: # 1 Proposed Order) (dmc) Modified on 8/29/2023 (dmc). filed by Interested Party Gabriel Rostom, Stockholder Gabriel Rostom, Stockholder Neelay Das) filed by Neelay Das. (Attachments: # 1 Certificate of Service)	09/05/2023	2125
29	Proposed Findings of Fact, Conclusions of Law, and Order (I) Approving the Disclosure Statement on a Final Basis and (II) Confirming the Second Amended Joint Chapter 11 Plan of Bed Bath & Beyond Inc. and Its Debtor Affiliates in support of (related document:1429 Chapter 11 Plan filed by Debtor Bed Bath & Beyond Inc., 1713 Support filed by Debtor Bed Bath & Beyond Inc.) filed by Michael D. Sirota on behalf of Bed Bath & Beyond Inc..	09/12/2023	2162



30	<p>FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER (I) APPROVING THE DISCLOSURE STATEMENT ON A FINAL BASIS AND (II) CONFIRMING THE SECOND AMENDED JOINT CHAPTER 11 PLAN OF BED BATH &amp; BEYOND INC. AND ITS DEBTOR AFFILIATES (related document:1716 Order (1)(A)Conditionally Approving Disclosure Statement, (B) Approving the solicitation and Notice Procedures with respect to Confirmation of the Plan, (C) Approving the Forms of Ballots and Notices in connection with therewith, (D) Scheduling a Combined Disclosure Statement approval and Plan Confirmation Hearing and certain dates and deadlines with respect thereto, and (E) Granting related Relief, and (ii) (A) Extending the Debtors' Exclusive Period to file a Chapter 11 Plan and solicit acceptances thereof pursuant to section 1121 of the Bankruptcy Code and (B) Granting Related Relief (related document:1690 Disclosure Statement filed by Debtor Bed Bath &amp; Beyond Inc.). Service of notice of the entry of this order pursuant to Rule 9022 was made on the appropriate parties. See BNC Certificate of Notice. Signed on 8/2/2023. Confirmation hearing to be held on 9/12/2023 at 02:30 PM at VFP - Courtroom 3B, Newark. Last day to Object to Confirmation 9/5/2023. (jf)).</p>	09/14/2023	2172
31	<p>Amended copy of redacted version of objection. (related document:2124 (REDACTED VERSION) Bed Bath and Beyond Common Stock Equity Interest Holders' Limited Objection to Debtors' Proposed Revised Order conditionally approving Disclosure Statement and other relief (related document:1728 Limited Objection to (related document:1692 Document re: Notice of Filing of Revised Order (I)(A) Conditionally Approving the Adequacy of the Disclosure Statement, (B) Approving the Solicitation and Notice Procedures with Respect to Confirmation of the Plan, (C) Approving the Forms of Ballots and Notices in Connection Therewith, (D) Scheduling a Combined Disclosure Statement Approval and Plan Confirmation Hearing and Certain Dates and Deadlines with Respect Thereto, and (E) Granting Related Relief, and (II) (A) Extending the Debtors' Exclusive Periods to File a Chapter 11 Plan and Solicit Acceptances Thereof Pursuant to Section 1121 of the Bankruptcy Code and (B) Granting Related Relief filed by Michael D. Sirota on behalf of Bed Bath &amp; Beyond Inc.. filed by Debtor Bed Bath &amp; Beyond</p>	09/20/2023	2192



	Inc.) filed by Neelay Das, Gabriel Rostom. (Attachments: # 1 Certificate of Service) (dmc) filed by Interested Party Gabriel Rostom, Stockholder Gabriel Rostom, Stockholder Neelay Das		
32	<p>Transcript regarding Hearing Held 09/12/23 REVISED (related document:1690 Disclosure Statement filed by Debtor Bed Bath &amp; Beyond Inc., 1716 Order Conditionally Approving Disclosure Statement, 2068 Motion to Vacate filed by Interested Party Gabriel Rostom, Stockholder Gabriel Rostom, Stockholder Neelay Das). For a copy of the Transcript, contact the Transcriber:</p> <p>J&amp;J Court Transcribers, Inc.</p> <p>268 Evergreen Avenue</p> <p>Hamilton, NJ 08619</p> <p>609-586-2311</p> <p>609-587-3599 (fax)</p> <p>jjcourt@jjcourt.com</p>	09/22/2023	2280
33	Notice of Appeal to District Court. (related document:2172 Order (Generic)). Receipt Number 545925, Fee Amount \$ 255. Filed by Neelay Das, Gabriel Rostom.	09/28/2023	2305
34	Transmittal of Record on Appeal to U.S. District Court (related document:2305 Notice of Appeal filed by Interested Party Gabriel Rostom, Stockholder Gabriel Rostom, Stockholder Neelay Das)	09/29/2023	2307
35	Notice of Docketing Record on Appeal to District Court. Case Number: 23-CV-20787-MEF. (related document: 2305 Notice of Appeal filed by Gabriel Rostom, Neelay Das). United States District Court Judge Michael E. Farbiarz Assigned.	10/02/2023	2396

36	Motion re: of Comon Stock Equity Interest Holders for Certification of Direct Appeal to the United States Court of Appeals for the Third Circuit Filed by Neelay Das. (Attachments: # 1 Motion of Common Stock Equity Interest Holders for Certification of Direct Appeal # 2 Exhibit A (Proposed Order) # 3 Exhibit B (Appealed Order - Docket Entry 2172))	10/13/2023	2450
37	Application to Shorten Time (related document:2450 Motion re: of Comon Stock Equity Interest Holders for Certification of Direct Appeal to the United States Court of Appeals for the Third Circuit filed by Stockholder Neelay Das) Filed by Neelay Das. (Attachments: # 1 Proposed Order)	10/13/2023	2451
38	Document re: Continuation of Exhibit B: Page 126 of 144 (related document:2450 Motion (Generic) filed by Stockholder Neelay Das) filed by Neelay Das.	10/13/2023	2454
39	Motion re: EMERGENCY MOTION OF COMMON STOCK EQUITY INTEREST HOLDERS FOR STAY AND ASSOCIATED RELIEF PENDING APPEAL PURSUANT TO FED. R. BANKR. P. 8013(d) AND 8007 Filed by Neelay Das. (Attachments: # 1 Emergency Motion # 2 Exhibit I Das Affidavit # 3 Exhibit II Proposed Order # 4 Exhibit III Motion for Certification of Direct Appeal # 5 Certificate of Service)	10/13/2023	2455
40	Notice of Emergency Motion of Common Stock Equity Interest Holders To Stay Pending Direct Appeal (related document:2172 Order (Generic)) Filed by Neelay Das. (Attachments: # 1 Emergency Motion of Common Stock Equity Interest Holders for Stay and Associated Relief pending Appeal Pursuant to Fed.R.Bankr. P. 8013(d) AND 8007 # 2 Exhibit 1 # 3 Exhibit 2 # 4 Exhibit A Proposed Order # 5 Exhibit B Appealed Order # 6 Certificate of Service) (jf) Modified on 10/16/2023	10/16/2023	2471
41	Order Granting Application to Shorten Time (related document:2450 Motion re: of Common Stock Equity Interest Holders for Certification of Direct Appeal to the United States Court of Appeals for the Third Circuit filed by Stockholder Neelay Das, and 2471 Motion To Stay Pending Direct Appeal (related document:2172 Order (Generic)) filed by Stockholder Neelay Das). Service of	10/17/2023	2473



	notice of the entry of this order pursuant to Rule 9022 was made on the appropriate parties. See BNC Certificate of Notice. Signed on 10/17/2023. Hearing scheduled for 10/31/2023 at 11:00 AM by Zoom.		
42	<p>Objection to Motion of Common Stock Equity Interest Holders for Certification of Direct Appeal to the United States Court of Appeals for the Third Circuit (related document:2450 Motion re: of Comon Stock Equity Interest Holders for Certification of Direct Appeal to the United States Court of Appeals for the Third Circuit Filed by Neelay Das. (Attachments: # 1 Motion of Common Stock Equity Interest Holders for Certification of Direct Appeal # 2 Exhibit A (Proposed Order) # 3 Exhibit B (Appealed Order - Docket Entry 2172)) (rah) filed by Stockholder Neelay Das, 2471 Notice of Emergency Motion of Common Stock Equity Interest Holders To Stay Pending Direct Appeal (related document:2172 Order (Generic)) Filed by Neelay Das. (Attachments: # 1 Emergency Motion of Common Stock Equity Interest Holders for Stay and Associated Relief pending Appeal Pursuant to Fed.R.Bankr. P. 8013(d) AND 8007 # 2 Exhibit 1 # 3 Exhibit 2 # 4 Exhibit A Proposed Order # 5 Exhibit B Appealed Order # 6 Certificate of Service) (jf) Modified on 10/16/2023 (jf). filed by Stockholder Neelay Das, 2473 Order Granting Application to Shorten Time (related document:2450 Motion re: of Common Stock Equity Interest Holders for Certification of Direct Appeal to the United States Court of Appeals for the Third Circuit filed by Stockholder Neelay Das, and 2471 Motion To Stay Pending Direct Appeal (related document:2172 Order (Generic)) filed by Stockholder Neelay Das). Service of notice of the entry of this order pursuant to Rule 9022 was made on the appropriate parties. See BNC Certificate of Notice. Signed on 10/17/2023. Hearing scheduled for 10/31/2023 at 11:00 AM by Zoom. (jf) filed by Bradford J. Sandler on behalf of Plan Administrator.</p>	10/27/2023	2630
43	<p>Response in Opposition to Emergency Motion of Common Stock Equity Interest Holders for Stay and Associated Relief Pending Appeal Pursuant to Fed. R. Bankr. P. 8013(d) and 8007 (related document:2471 Notice of Emergency Motion of Common Stock Equity Interest Holders To Stay Pending Direct Appeal (related document:2172 Order (Generic)) Filed by Neelay Das. (Attachments: # 1 Emergency Motion of Common Stock</p>	10/27/2023	2632



	Equity Interest Holders for Stay and Associated Relief pending Appeal Pursuant to Fed.R.Bankr. P. 8013(d) AND 8007 # 2 Exhibit 1 # 3 Exhibit 2 # 4 Exhibit A Proposed Order # 5 Exhibit B Appealed Order # 6 Certificate of Service) (jf) Modified on 10/16/2023 (jf). filed by Stockholder Neelay Das, 2473 Order Granting Application to Shorten Time (related document:2450 Motion re: of Common Stock Equity Interest Holders for Certification of Direct Appeal to the United States Court of Appeals for the Third Circuit filed by Stockholder Neelay Das, and 2471 Motion To Stay Pending Direct Appeal (related document:2172 Order (Generic)) filed by Stockholder Neelay Das). Service of notice of the entry of this order pursuant to Rule 9022 was made on the appropriate parties. See BNC Certificate of Notice. Signed on 10/17/2023. Hearing scheduled for 10/31/2023 at 11:00 AM by Zoom. (jf) filed by Bradford J. Sandler on behalf of Plan Administrator.		
44	PDF with attached Audio File. Court Date & Time ( 10/31/2023 11:01:41 AM ). File Size ( 21048 KB ). Run Time ( 00:43:51 ).	10/31/2023	2641
45	ORDER DENYING EMERGENCY MOTION OF COMMON STOCK EQUITY INTEREST HOLDERS FOR STAY AND ASSOCIATED RELIEF PENDING APPEAL PURSUANT TO FED.R.BANK.P.8013(D) AND 8007. (related document:2471 Notice of Emergency Motion of Common Stock Equity Interest Holders To Stay Pending Direct Appeal (related document:2172 Order (Generic)) Filed by Neelay Das. (Attachments: # 1 Emergency Motion of Common Stock Equity Interest Holders for Stay and Associated Relief pending Appeal Pursuant to Fed.R.Bankr. P. 8013(d) AND 8007 # 2 Exhibit 1 # 3 Exhibit 2 # 4 Exhibit A Proposed Order # 5 Exhibit B Appealed Order # 6 Certificate of Service) (jf) Modified on 10/16/2023 (jf). filed by Stockholder Neelay Das). Service of notice of the entry of this order pursuant to Rule 9022 was made on the appropriate parties. See BNC Certificate of Notice. Signed on 11/1/2023.	11/01/2023	2648

*[signatures follow]*



Date: 12/05/2023

  
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Neelay Das

Date: 12/05/2023

  
\_\_\_\_\_  
Gabriel Rostom (Dec 5, 2023 21:02 GMT+1)